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EXAMINER

SHECHTMAN, CHERYL MARIA

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/522,640	Applicant(s) NARAHARA ET AL.	
	Examiner CHERYL M. SHECHTMAN	Art Unit 2169	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-15 and 17-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-15 and 17-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to Amendment filed July 31, 2008. Claims 1, 3-15 and 17-29 are pending. Claims 1, 3, 15, 17-20, 22, 23, and 25-29 are amended. Claims 2 and 16 are cancelled.

Response to Arguments

2. Referring to the objection to the drawings, Applicant's provision of a Replacement sheet for Fig. 9 is acknowledged. As such, the objection to the drawings is withdrawn.

3. Referring to the 35 USC 112 second paragraph rejections of claims 1-29, Applicant's amendments are acknowledged. As such, the 35 USC 112 second paragraph rejections of the claims are withdrawn.

4. Referring to the 35 USC 101 rejection of claim 29, Applicant's amendments to the claim are acknowledged. As such, the 35 USC 101 rejection of the claim is withdrawn.

5. Applicant's arguments filed with respect to claims 1, 3-15 and 17-29 have been fully considered but they are not persuasive.

Referring to claim 1, Applicant argues that McCoskey fails to teach setting a program at which operations are started based on a user supplying a control signal. However, Examiner respectfully disagrees. McCoskey teaches that a user can input a search criteria specifying a particular program title, for example "the Titanic", thereby initiating a search operation with a starting program "Titanic" (see Fig. 18b, para. 62-63).

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McCoskey furthermore teaches a user terminal 202 that is equipped with user input devices 214, which enable the user to input search requests for programs via search criteria that are communicated to content search, packaging and delivery system 200 (see para. 43-46, 56, 82). As such, Examiner maintains that McCoskey does teach setting a program at which operations are started based on a user supplying a control signal.

Referring to claim 1, Applicant argues that McCoskey fails to teach searching the database for information on programs in response to the supply of the control signal by the user using information identifying the starting program set. However, Examiner respectfully disagrees. McCoskey teaches that in response to the user's selection (control signal input via the user terminal 202 and user input devices 214) of search criteria "Program title = Titanic", the suggestion database 308 is searched using the selected search criteria to find other programming content related to the requested search criteria in some way (para. 62-64). As such, Examiner maintains that McCoskey does teach searching the database for information on programs in response to the supply of the control signal by the user using information identifying the starting program set.

The rejections of claims 3-15 and 17-29 are also maintained for the same reasons as claim 1 above.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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6. Claims 1, 3-8, 10, 15, 17-22, 24 and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by US Publication Number 2003/0028889 by McCoskey et al (hereafter McCoskey).

Referring to claim 15, McCoskey discloses an information processing method for supporting operations on program contents distributed at scheduled times where information on each program content is managed using a database (Technical Field, Summary), the method comprising:

- setting a program at which the operations are started, based on a user supplying a control signal for selecting as the starting program, program contents from a predetermined program table accessed by the user (see search request criteria 'Program title' = "Titanic", in predetermined program search criteria table, see Fig. 18b, para. 62-63; user terminal 202 is equipped with user input devices 214 with which the user can input search requests for programs, para. 43-46, 56, 82);
- searching the database for information on programs in all program states to extract programs related to the starting program, wherein the searching uses information identifying the starting program and is in response to the supply of the control signal (searching of suggestion database for programs related by category or theme to, for example, the Titanic as selected by the user in the search request form (received by user terminal 202), the search request form including the search request criteria 'Program title' = "Titanic", para. 62-64);

- generating a starting-program-related information page including the extracted related programs (search results form, para. 67, Fig. 5 and 19a-b); and
- presenting a detailed operation screen in response to the selection of a program related to the starting program on the starting-program-related information page, the detailed operation screen including a method of operation that can be used for the related program depending on the program state of the related program (selection of documentary type, para. 68).

Referring to claim 29, the limitations of the claim repeat the respective limitations of claim 15 above in the form of a computer program (para. 57, 66, and 101). As such, claim 29 is rejected for the same reasons as claim 15.

Referring to claim 1, the limitations of the claim are similar to those of claim 15 in the form of an apparatus (Abstract). Claim 1 additionally recites a program information managing section which manages information on program contents (para. 20, 57, 116 and 120).

Referring to claims 3 and 17, McCoskey discloses an ID of the set starting program (see user rating criteria, Fig. 18b).

Referring to claims 4 and 18, McCoskey discloses generating the starting-program-related information page by extracting related programs from at least a date of

broadcast, a time of broadcast, and a broadcast station name, at the time the starting program is set (see date, time and content provider criteria, Fig. 18b; para. 100).

Referring to claims 5 and 19, McCoskey discloses managing program information including a plurality of items to which degrees of relationship to programs are assigned; and retrieving programs related to the starting program with respect to each of the plurality of items based on the degrees of relationship to the starting program and generates the starting-program-related information page by arranging results of the retrieval (para. 64).

Referring to claims 6 and 20, McCoskey discloses generating the starting-program-related information page from the results of the retrieval by arranging the related programs in descending order of the items in the degrees of relationship with the starting program (para. 64-68 and 97).

Referring to claims 7 and 21, McCoskey discloses a reception section which receives program contents and a recording section which performs recording and preset recording of the received program contents (user terminal 202 receives and records downloaded program content, see Fig. 2, element 202; para. 43-46); wherein the program states include at least one of a state in which program contents have already been recorded, a state in which the recording has not been made yet, a state in which presetting for recording has already been made, a state in which presetting for recording has not been made yet, or a state in which program contents have not been received yet (para 45 and 61).

Referring to claims 8 and 22, McCoskey discloses displaying the program state associated with each piece of related information on the starting-program-related information page (scheduling and availability of program data, para. 61; see also Fig. 19b).

Referring to claims 10 and 24, McCoskey discloses maintaining a display history of the starting-program-related page (para. 101).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 9, 11-14, 23 and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Publication Number 2003/0028889 by McCoskey et al (hereafter McCoskey) as applied to claims 1 and 15 above, and further in view of US Patent Number 5,479,266 issued to Young et al (hereafter Young).

Referring to claims 9, 11-13, 23 and 25-27, McCoskey discloses all of the above claimed subject matter, however fails to disclose:

- displaying an icon indicating a program state associated with each piece of related information on a program-related information page (claims 9 and 23);
- a detailed operation screen that presents erasure of record as a method of operation when a program state of a selected related program is a state in which program contents have already been recorded (claims 11 and 25);

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- a detailed operation screen that presents cancellation of recording and/or confirmation of presetting as a method of operation when a program state of a selected related program is the state in which presetting for recording has already been made (claims 12 and 26); and
- a detailed operation screen that presents presetting for recording as a method of operation when a program state of a selected related program is a state in which presetting for recording has not been made yet (claims 13 and 27).

However, Young teaches analogous art that includes:

- displaying an icon indicating a program state associated with each piece of related information on a program-related information page (claims 9 and 23) [Fig. 23; col. 5, line 40- col. 6, line 17, Fig. 2-3];
- a detailed operation screen that presents erasure of record as a method of operation when a program state of a selected related program is a state in which program contents have already been recorded (claims 11 and 25)[see Fig. 23 and related portions of specification];
- a detailed operation screen that presents cancellation of recording and/or confirmation of presetting as a method of operation when a program state of a selected related program is the state in which presetting for recording has already been made (claims 12 and 26)[see Fig. 23 and related portions of specification]; and

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- a detailed operation screen that presents presetting for recording as a method of operation when a program state of a selected related program is a state in which presetting for recording has not been made yet (claims 13 and 27)[see Fig. 23 and related portions of specification, col. 5, line 56- col. 6, line 17; Fig. 2-3].

It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify McCoskey to include displaying an icon indicating a program state; a detailed operation screen that presents erasure of record as a method of operation when a program state of a selected related program is a state in which program contents have already been recorded, cancellation of recording and/or confirmation of presetting as a method of operation when a program state of a selected related program is the state in which presetting for recording has already been made and presetting for recording as a method of operation when a program state of a selected related program is a state in which presetting for recording has not been made yet, as taught by Young.

The ordinary skilled artisan would have been motivated to modify McCoskey per the above for the purpose of providing an intuitive user interface that allows users to access onscreen television program listings and use the listings easily and conveniently to facilitate program recording (Young, see Field of Invention).

Referring to claims 14 and 28, the combination of McCoskey/Young discloses that the detailed operation screen presenting section presents a plurality of methods for presetting for recording (Young, see Fig. 23 and related portions of specification).

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M Shechtman who can be reached on (571) 272-4018. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for

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the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Cheryl M Shechtman/
Examiner, Art Unit 2169

/Wilson Lee/
Primary Examiner, Art Unit 2163

November 5, 2008